

# **Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels and Fire Rehabilitation Actions**

## **AZ13N1E09002 AML Backfill DOI-BLM-AZ-P010-2011-008-CX**

### **A. Background**

**BLM Office:** Hassayampa Field Office

**Lease/Serial/Case File No.:** N/A

**Proposed Action Title/Type:** AZ13N1E09002 AML Backfill

**Location of Proposed Action:** T. 13 N., R. 1 E., NW¼NW ¼ of section 9, G&SRM, Yavapai County, Arizona.

**Description of Proposed Action:** BLM would backfill a vertical ~40 ft. deep open abandoned mine shaft and several small prospect pits (AZ13N1E09002) located on public land, adjacent to a residential area on private land, near Dewey, AZ. Site surveyed and cleared for cultural resources by BLM Archaeologist Chris McLaughlin in October 2010. Site cleared for wildlife by BLM Biologist Codey Carter in November 2010, who recommended that a wildlife exclusion (chicken wire) be installed over the shaft collar 4 to 7 days before backfilling the shaft. BLM would then use a backhoe to push material from the waste rock dumps next to the shaft and prospects into the holes. Backfilling the features would significantly improve public safety, as the physical safety hazards would be permanently eliminated. There is also a moderate amount of trash and debris illegally dumped onsite, presumably by nearby residents, which BLM would pickup and dispose of on the same day the shafts and pits are backfilled. The site is located at:

<u>AMSCM identifier</u>	<u>Latitude</u>	<u>Longitude</u>	<u>UTM coordinates (NAD 83)</u>
AZ13N1E09002	34.52681	-112.27114	12S 383339E 3821304N

### **B. Land Use Plan Conformance**

Land Use Plan (LUP) Name: Bradshaw-Harquahala Record of Decision and Approved Resource Management Plan.

Date Approved/Amended: April 2010

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): N/A

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

The Bradshaw-Harquahala Record of Decision and Approved Resource Management Plan, approved April 2010, states on page A-24, in Public Safety – Standard Operating Procedures – Abandoned Mine Lands: “Inspect abandoned mine land sites to identify all physical hazards presenting a safety risk to the public, and take appropriate action to mitigate any hazards and prevent public access to abandoned mine land contaminated areas.”

**C: Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Appendix 4, J (8) – Installation of minor devices to protect human life, (e.g., grates across mines), and, Appendix 4, J (10) -- Removal of structures and materials of no historical value, such as abandoned automobiles, fences, and buildings, including those built in trespass and reclamation of the site when little or no surface disturbance is involved.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM2 apply.

I considered the following when reviewing the proposed project:

- The act of backfilling the open mine shaft and prospect pits, and cleaning up the trash and debris, will have a positive effect on public health & safety, particularly given that the site is located immediately adjacent to a residential area near Dewey, AZ.
- The sole active mining claimant onsite was notified of BLM’s desire to reclaim the site in a certified letter dated 10/27/10, and in a 10/29/10 phone conversation, he concurred with BLM’s plans to backfill the AML features and cleanup the trash, at no cost to him.
- A cultural clearance has been completed for the site. No historic features would be impacted by the proposed backfilling. Standard stipulations apply, along with the following special stipulation: “During backfilling work, the contractor will carefully avoid all historic features and structures. An environmental monitor shall ensure that the work is carried out away from all historic features.”
- No T&E habitat or species are present in this area, and there is no significant wildlife habitat in the shaft and pits to be backfilled. A wildlife exclusion would be installed on the shaft by BLM between 4 and 7 days before it is backfilled, to ensure that no bats, owls, or other wildlife remain in the shaft when it is backfilled.

**D: Signature**

Authorizing Official: \_\_\_\_\_ Date: 11/03/10  
(Signature)

Name: Steven Cohn

Title: Field Manager, Hassayampa Field Office

**Contact Person**

For additional information concerning this CX review, contact Mining Engineer Matt Plis, Phoenix District Office, 21605 N. 7th Avenue, Phoenix, Arizona 85027, 623-580-5500

**Note:** A separate decision document must be prepared for the action covered by the CX.

## Approval and Decision

**Compliance and assignment of responsibility:** Matt Plis, Environmental Engineer

**Monitoring and assignment of responsibility:** Roy Draper, Surface Protection Specialist

**Review:** We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.

**Prepared by:** \_\_\_\_\_ **Date:** 11 / 01 / 10

**Matt Plis**  
Environmental Engineer

**Reviewed by:** \_\_\_\_\_ **Date:** 11 / 02 / 10

**Leah Baker**  
Planning & Environmental Coordinator

**Reviewed by:** \_\_\_\_\_ **Date:** 11/03/10

**Steven Cohn**  
Field Manager

**Project Description:** BLM would backfill a vertical ~40 ft. deep open abandoned mine shaft and several small prospect pits (AZ13N1E09002) located on public land, adjacent to a residential area on private land, near Dewey, AZ. BLM would use a backhoe to push material from the waste rock dumps next to the shaft and prospects into the holes. Backfilling the features would significantly improve public safety, as the physical safety hazards would be permanently eliminated. There is also a moderate amount of trash and debris illegally dumped onsite, presumably by nearby residents, which BLM would pickup and dispose of on the same day the shafts and pits are backfilled.

**Decision:** Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulation: During backfilling work, the contractor will carefully avoid all historic features and structures. An environmental monitor shall ensure that the work is carried out away from all historic features.

**Approved By:** \_\_\_\_\_ **Date:** 11/03/10

**Steven Cohn**  
Field Manager